IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

Bail Appl..No. 5029 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.4485/2007 Dated 25/07/2007
CMP.3011/2007 of J.M.F.C.-I,HOSDRUG
CRIME NO. 42/07 OF HOSDURG EXCISE RANGE.

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: PETITTIONER/ACCUSED

M.RAGHAVAN, AGED 51/2007
S/O. LATE KUNHIRAMAN,
ANANDANPALLAM DESOM,KANHANGAD VILLAGE,
HOSDURG TALUK.

BY ADV. SRI.MURUGAN P.V.

RESPONDENTS: COMPLAINANT

STATE OF KERALA ,REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKUALAM,
REPRESENTING EXCISE RANGE, HOSDURG.

BY P.P. SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5029 of 2007

Dated this the 16th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 10 litres of Karnataka arrack on 1/7/07. He was arrested and continues in custody from that date. The petitioner has one other similar crime under the Abkari Act which has already been charge sheeted, submits the learned Public Prosecutor. An earlier application for regular bail was dismissed as per the order dated 25/7/07 in B.A.No.4485/07 subject to observation that the petitioner can move again on or after 8/8/07. Accordingly, the present application has been filed by the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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